

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA

vs.

(1) DAMIAN ALEXIS PAYAN-GUTIERREZ

§  
§  
§  
§  
§

NO: EP:24-CR-02768(1)-DB

**ORDER APPROVING AND ADOPTING REPORT & RECOMMENDATION  
AND ACCEPTING GUILTY PLEA**

On this day, the Court considered the Report and Recommendation of the United States Magistrate Judge filed in the above-captioned cause. Pursuant to 28 U.S.C. § 636(b), this Court referred this cause to the Magistrate Judge to administer a guilty plea in accordance with Federal Rule of Criminal Procedure 11. Defendant consented to the administration of the guilty plea and allocution by the Magistrate Judge.

Having reviewed the Report and Recommendation, and there being no objection to the Report and Recommendation timely filed pursuant to 28 U.S.C. § 636(b), the Court finds that the Report and Recommendation is neither clearly erroneous nor contrary to law. Consequently, the Court is of the opinion that the Report and Recommendation should be approved and adopted, and Defendant's guilty plea should be accepted.

Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **APPROVED** and **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant's guilty plea is **ACCEPTED**.

**SIGNED** this 4th day of April, 2025.

  
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DAVID BRIONES  
SENIOR U.S. DISTRICT JUDGE